

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

TYLER MILLER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No: 3:20-cv-00313
	)	
BRIGHTSTAR INTERNATIONAL CORP.	)	Judge Waverly D. Crenshaw, Jr.
d/b/a BRIGHTSTAR CORP.,	)	Magistrate Judge Alistair Newbern
	)	
Defendant.	)	

**DEFENDANT’S MOTION *IN LIMINE* TO EXCLUDE TESTIMONY AND EVIDENCE  
CONCERNING OR RELATING TO THE REASON FOR BRIGHTSTAR’S  
TERMINATION OF PLAINTIFF**

Defendant, Brightstar Corp. d/b/a Brightstar International Corp. (“Brightstar”), hereby respectfully moves this Court *in limine* for an order excluding all testimony or evidence concerning or relating to the reason for Brightstar’s December 11, 2020 termination of Plaintiff, and granting any such further relief as this Court finds just and proper. In support of this motion, Brightstar states as follows:

This case hinges on Plaintiff’s sole claim that Brightstar breached the Employment Agreement by placing him on furlough and not continuing to pay his salary “in accordance with Brightstar’s normal payroll procedures.” (Dkt. 64, at 2.). Plaintiff brings no claims against Brightstar relating to the termination of his employment. Further, Plaintiff does not dispute that, on December 11, 2020, while he was on furlough, Brightstar notified Plaintiff in writing that, effective as of that date, his employment with Brightstar was terminated “without Cause.” (Dkt. 65, at ¶ 13.)

Yet, Plaintiff seeks to introduce at trial evidence relating to or concerning Brightstar’s reason for terminating Plaintiff’s employment despite that such evidence has no place in this

action. Any such testimony or evidence relating to Brightstar's reason for terminating Plaintiff's employment on December 11, 2020 is irrelevant to this action and allowing the introduction of such testimony would likely confuse and mislead the jury, unfairly prejudice Brightstar, and lead to undue delay. Plaintiff should therefore be precluded from introducing evidence concerning or relating to Brightstar's reason for terminating Plaintiff's employment on December 11, 2020

In further support of this motion, Brightstar submits and relies upon its contemporaneously-filed memorandum of law in support hereof.

WHEREFORE, Brightstar respectfully requests that the Court:

1. Enter an Order excluding all testimony and/or evidence concerning or relating to the reason for Brightstar's December 11, 2020 termination of Plaintiff; and
2. Granting such further and other relief as the Court finds just and proper.

Respectfully submitted,

/s/ Peter C. Sales

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing is being served via the Court's CM/ECF system on the following on this the 27<sup>th</sup> day of May, 2021:

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